

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CURTIS LEE HENDERSON, SR.,) No. C 07-2838 SBA (PR)
Plaintiff,)
v.)
J. PETERSEN, et al.,)
Defendants.)
**ORDER DENYING PLAINTIFF'S
MOTION FOR INJUNCTIVE RELIEF**
(Docket no. 74)

Before the Court is Plaintiff's motion entitled, "Petition for Writ of Mandamus and Emergency Injunction." In his motion, Plaintiff alleges that in April, 2009, he "had an operation conducted on his left arm as a result of the excessive force used against him by the Defendants in this case as outlined in the complaint." (Pl.'s Mot. at 1.) He claims that "[a]fter surgery an infection set in on [his] elbow at the operation sight [sic] . . ." (*Id.*) His surgeon "determined the infection to be olecrenon bursitis with an olecrenon spur that needed to be removed before any further complication such as loosing [sic] the ability to use the arm." (*Id.*) Plaintiff claims that his requests for the operation were denied. Therefore, he requests the Court "grant this motion for writ of mandamus and emergency injunction ordering CDCR to allow corrective surgery." (*Id.* at 3.)

The Court construes Plaintiff's motion as a request for injunctive relief. However, the Court notes that Plaintiff is incarcerated at California State Prison - Delano. Because Delano is not in this judicial district, Plaintiff must present any claims regarding his conditions of confinement at that prison in the United States District Court for the Eastern District of California. Accordingly, Plaintiff's "Petition for Writ of Mandamus and Emergency Injunction" (docket no. 74) is DENIED.

This Order terminates Docket no. 74.

IT IS SO ORDERED.

DATED: 3/16/10

Saundra B Armstrong
SAUNDRA BROWN ARMSTRONG
United States District Judge

1
2 UNITED STATES DISTRICT COURT
3 FOR THE
4 NORTHERN DISTRICT OF CALIFORNIA
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8 CURTIS LEE HENDERSON SR,

Case Number: CV07-02838 SBA

9 Plaintiff,

10 **CERTIFICATE OF SERVICE**

11 v.

12 CALIFORNIA DEPARTMENT OF
13 CORRECTION et al,

14 Defendant.
15 _____ /

16 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
17 Court, Northern District of California.

18 That on March 17, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said
19 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle
20 located in the Clerk's office.

21
22
23 Curtis Lee Henderson H-43488
24 California State Prison - Delano
P.O. Box 5102
25 Delano, CA 93216

26 Dated: March 17, 2010

27 Richard W. Wiking, Clerk
28 By: LISA R CLARK, Deputy Clerk